

Introduced by Senator Cannella

February 20, 2014

An act to add Section 42011 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1151, as introduced, Cannella. Vehicles: school zone fines.

Existing law, in the case of specified violations relating to rules of the road and driving under the influence, doubles the fine in the case of misdemeanors, and increases the fine, as specified, in the case of infractions, if the violation is committed by the driver of a vehicle within a highway construction or maintenance area during any time when traffic is regulated or restricted by the Department of Transportation or local authorities pursuant to existing law or is committed within a designated Safety Enhancement Double Fine Zone.

This bill would additionally require that fines for specified violations be doubled or increased if the violation occurred when passing a school building or school grounds, as specified, and the highway is posted with a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone. The bill would require that these additional fines be deposited in the State Transportation Fund for purposes of the Active Transportation Program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42011 is added to the Vehicle Code, to
2 read:

42011. (a) For any offense specified in subdivision (b) that is committed by the driver of a vehicle under either of the following conditions, the fine in a misdemeanor case shall be double the base amount otherwise prescribed, not including any penalty assessments or other fees or additions, and in an infraction case, the fine shall be one category higher than the penalty otherwise prescribed by the uniform traffic penalty schedule established pursuant to Section 40310, not including any penalty assessments or other fees or additions:

(1) When passing a school building or the grounds thereof, if the building or grounds are contiguous to a highway and posted with a standard “SCHOOL” warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone, and children are going to or leaving the school either during school hours or during the noon recess period.

(2) When passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children, and the highway is posted with a standard “SCHOOL” warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone.

(b) A violation of any of the following provisions is an offense that is subject to subdivision (a):

(1) Article 3 (commencing with Section 21450) of Chapter 2 of Division 11, relating to obedience to traffic devices.

(2) Chapter 3 (commencing with Section 21650) of Division 11, relating to driving, overtaking, and passing.

(3) Chapter 4 (commencing with Section 21800) of Division 11, relating to yielding the right-of-way.

(4) Chapter 6 (commencing with Section 22100) of Division 11, relating to turning and stopping and turn signals.

(5) Chapter 7 (commencing with Section 22348) of Division 11, relating to speed limits.

(6) Chapter 8 (commencing with Section 22450) of Division 11, relating to special traffic stops.

(7) Section 23103, relating to reckless driving.

(8) Section 23104, relating to reckless driving which results in bodily injury to another.

(9) Section 23109, relating to speed contests.

1 (10) Section 23152, relating to driving under the influence of
2 alcohol or a controlled substance, or a violation of Section 23103,
3 as specified in Section 23103.5, relating to alcohol-related reckless
4 driving.

5 (11) Section 23153, relating to driving under the influence of
6 alcohol or a controlled substance, which results in bodily injury
7 to another.

8 (12) Section 23154, relating to convicted drunk drivers operating
9 a motor vehicle with a blood-alcohol concentration of 0.01 percent
10 or greater.

11 (13) Section 23220, relating to drinking while driving.

12 (14) Section 23221, relating to drinking in a motor vehicle while
13 on the highway.

14 (15) Section 23222, relating to driving while possessing
15 marijuana or an open alcoholic beverage container.

16 (16) Section 23223, relating to being in a vehicle on the highway
17 while possessing an open alcoholic beverage container.

18 (17) Section 23224, relating to being a driver or passenger under
19 21 years of age possessing an open alcoholic beverage container.

20 (18) Section 23225, relating to being the owner or driver of a
21 vehicle in which there is an open alcoholic beverage container.

22 (19) Section 23226, relating to being a passenger in a vehicle
23 in which there is an open alcoholic beverage container.

24 (c) The additional fines authorized by this section shall be
25 deposited in the State Highway Account in the State Transportation
26 Fund for purposes of the Active Transportation Program established
27 in Chapter 8 (commencing with Section 2380) of Division 3 of
28 the Streets and Highways Code.